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March 6, 2008

**BY FACSIMILE**

Hon. Laura T. Swain  
United States District Judge  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, Room 755  
New York, New York 10007

Re: Benjamin Waters v. Off. Patterson, et al.,  
07 Civ. 9858 (LTS) (MHD)

Dear Judge Swain:

*ENDORSED ORDER*  
*Application granted. Defendant*  
*Dor and Southerland are to respond*  
*to the Complaint by no later than*  
*April 11, 2008. No further*  
*extensions shall be*  
*granted.*  
*[Signature]*  
*3/11/08*

I am an Assistant Corporation Counsel in the Office of the Corporation Counsel Michael A. Cardozo, assigned to handle the above captioned matter. I write to respectfully request an extension of time to respond to the Complaint until April 11, 2008.

The only defendants in this case are three individually named correction officers. The docket report indicates that Officers Dor and Southerland have been served, and Officer Patterson has not been served. Moreover, according to Dept. of Correction records, there is no Officer Patterson with the shield number specified in the Complaint, and there was no officer named Patterson working at the building of the George R. Verno Center at which the plaintiff was housed during the dates covered by the Complaint.

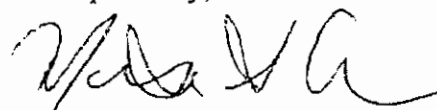
A response to the Complaint by Officers Dor and Southerland is currently due on March 12, 2008. It is respectfully requested that the time to respond on behalf of these defendants be extended by thirty days, to April 11, 2008.

This is the second request for an extension of time to respond. The first request for an extension was granted by the Court on February 6, 2008. As plaintiff is incarcerated and proceeding *pro se*, it was not feasible to obtain his prior consent to this request.

This additional time is necessary in order to continue to investigate the Complaint's factual allegations and legal claims and to make representation decisions consistent with the requirements of New York General Municipal Law §50-k.

Thank you for your consideration of this request for an extension of time to respond to the Complaint until April 11, 2008.

Respectfully,



Martha Calhoun (MC 5009)  
Assistant Corporation Counsel

cc: Via overnight mail  
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